



PUBLIC COMMENT SESSION SIGN IN SHEET

OCONEE COUNTY COUNCIL MEETING

Tuesday, August 3, 2010

6:00 PM

Oconee County Administrative Offices
415 South Pine Street, Walhalla, SC

Limited to forty [40] minutes, four [4] minutes per person.

Citizens with comments related to a specific action agenda item will be called first.

If time permits additional citizens may be permitted to speak on a non agenda items *[at the discretion of the Chair].*

Council may make closing comments directly following the public & extended public comment sessions if time permits.

PLEASE PRINT

	FULL NAME	AGENDA ITEM FOR DISCUSSION
1	Berry Nichols	
2	LARRY LINSIN	2010-29
3	JIM COPNER	2010-21
4	GLEN MCPHETERS	NO AGENDA ITEM
5	JEFF SODWAL	BRC ROAD
6	JOHN W. ADAMS	Henry II
7		
8		
9		
10		
11		
12		
13		
14	B. J. L.	
15		



OCONEE COUNTY COUNCIL
ABSTENTION FORM

Council Member Name: _____

Paul Corbell

(Please Print)

Council Member Signature: _____

Paul Corbell

Meeting Date: _____

8/3/10

Item for Discussion/Vote: _____

7/20/10 Minutes

Reason for Absention: _____



I was not present for original meeting/discussion

_____ I have a personal/familial interest in the issue.

Other: _____

E. Hulse

Elizabeth G. Hulse
Clerk to Council

[This form to be filed as part of the permanent record of the meeting.]



OCONEE COUNTY COUNCIL
ABSTENTION FORM

Council Member Name:

MARIO SUAREZ

[Please Print]

Council Member Signature:

Mario Suarez

Meeting Date:

8/3/10

Item for Discussion/Vote:

Minutes: 7/27/10

Reason for Absention:



I was not present for original meeting/discussion

I have a personal/familial interest in the issue.

Other:

E. Hulse

Elizabeth G. Hulse
Clerk to Council

[This form to be filed as part of the permanent record of the meeting.]

August 3, 2010

Thank you for creating the opportunity to solicit public input during your scheduled meetings. My name is Glen McPheeters, and I am here to speak about an activity taking place in Hart County, Georgia. While you might ask "what has this got to do with us?", it will be clear in a minute that this is critical to Oconee County's future.

Many of us in south Oconee County became aware over the past 30 days that for a number of years, Hart County, Georgia has been actively soliciting a company called Fibrowatt to consider locating in their area. Fibrowatt is in the business of constructing bio-mass incinerators. The facility that Hart County is working with them on, is specifically intended to incinerate chicken manure to produce electricity. While on the surface this may be an appropriate endeavor, which will both bolster Hart's tax base and provide jobs to their residents, it's proposed location is totally inappropriate.

Hart County has proposed that the incinerator be located in their Gateway Industrial Park, located off exit 177 of I-85, just outside of Lavonia. This site is within 2000 feet of the shore of Lake Hartwell, on the very edge of the border between Hart County and Oconee County. While Hart County will be the recipient of all of the potential benefits of this facility, Oconee County (and to a lesser extent Anderson County), will be the beneficiary of all of the negatives. Specifically, since the prevailing winds are almost always from the west, all of the pollutants that funnel out of the plant's 300 foot smokestack, will drift across Lake Hartwell and into Oconee County. Permitted emissions will include 4.8 MILLION POUNDS every year of Carbon Monoxide, Carbon Dioxide, Particulate Matter, Sulfur Dioxide, Nitrogen Oxide, Hydrochloric Acid, Sulfuric Acid, and Volatile Organic Compounds. While Fibrowatt claims that the emissions are odorless and that the only visible output of the smokestack will be "steam on a cool day", a resident that lives near the plant that Fibrowatt built in Benson, Minnesota has a different view. Her experience is that "there is a stench which varies with the wind direction, humidity, and materials being used. There is also grit which lands...and sticks to buildings and vehicles." The Minnesota Pollution Control Agency also has had problems with the plant in Minnesota as they fined

Fibrowatt \$65,000 in 2009 and stated that "Since the start of operations, the facility has experienced numerous violations of it's permit". Those violations included the late submission of reports to the agency, failed performance tests, and, most importantly, the excessive discharge of nitrogen oxide, sulfur dioxide, and carbon monoxide emissions.

As we all work together to bring responsible and controlled growth to the upstate, and specifically to south Oconee County, the potential impact of a manure incinerator, which will import as many as 150 tractor trailer loads of "fuel" into the area every 12 hours, can't be overstated. It will serve as a huge barrier to any other businesses which might be considering locating in the upstate, and certainly cannot be a positive development for the group putting together plans for a golf course and hotel/conference center on the welcome center peninsula. The smokestack will be clearly visible from this property.

With Oconee's stated mission being ***"To provide quality service to our citizens and to protect our heritage and environment for the future by planning for the best utilization of our resources."*** I implore the county council to advise Hart County, Georgia that you believe their pursuit of an incinerator along our shared border is both inconsistent with your mission, and will have an unacceptable impact on the citizens of Oconee County.

Thank you again for the opportunity to address the council.

The Journal Online
UpstateToday.com

Say 'no' to Fibrowatt

Submitted by [Editor](#) on July 23, 2010 - 1:00 am

OPINION
YOUR
VIEW

Editor,

Thank you for the insightful article that you wrote, "Nearby Georgia County Eyes Incinerator," which was updated online on July 20.

Geonee County residents need to understand that Hart County has yet to approve the proposed facility, and there is still time to express our opposition. As stated in your article, Fibrowatt, the company proposing to construct the facility, will not build where they are not wanted.

We need to make sure they know that we do not want a 300-foot smokestack on the shore of Lake Hartwell that will spew tons of harmful chemicals and particulates into our air and settle in our waters. Certainly, there are better ways to secure jobs and additional tax revenues than importing 150 tractor trailer loads of chicken manure and other biomass materials into the Upstate every day to feed an incinerator.

Everyone that values what the Upstate offers needs to show up at the Hart County Board of Commissioner's meeting at 5:30 p.m. Tuesday, July 27 and tell them "No to Fibrowatt."

Glen McPheeters
Fair Play

Proposed incinerator not a positive plan

Staff Report

Saturday, July 31, 2010

I live on Lake Hartwell, south of I-85 in Fair Play. This location is just across the lake from the site that is being considered for the incinerator.

To say that I am opposed to this would be a gross understatement.

Given all of the economic development efforts that are underway, both in Georgia and South Carolina, I simply cannot understand how any responsible governmental entity would consider supporting something like this.

Regardless of any actual damages that this facility may cause, the stigma alone associated with a manure incinerator would drive potential businesses and visitors away from the area.

I can only imagine how the developer who is trying to put together a first rate destination facility on the welcome center peninsula at exit 1 must feel about this:

The Uplstate, specifically Lake Hartwell, is a gem that we need to not only preserve but leverage to improve the lives of area residents.

As a representative of the Voice Of South Oconee (VOSO), a public service organization with a mission to provide a collective voice for the citizens of south Oconee County, I have received nothing but negative feedback on this proposed facility. Even the chicken farmers, who you would think would be in favor, have indicated that they don't need an additional outlet to dispose of chicken litter and do not support the incinerator. It seems that nobody except Fibrowatt and the Hart County Board of Commissioners thinks that this facility will have a positive impact.

Glen C. McPheeters, Fair Play



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REF # ①

Marsha Roach

From: Dale Owens
Sent: Monday, August 17, 2009 11:01 AM
To: Marsha Roach
Cc: Mack Kelly; Kyle Reid; Larry Harden
Subject: encroachment for Mr Sowal on BRC Dr

Hi Marsha,

Mr Sowal called me this morning about his permits on BRC Dr (WA-33), and he agreed to take this road as a private drive and Coonee County will abandon the maintenance. After Mack reviewed the permits and considered the road, he could not approve any additional permits as a county maintained road, so it seems the best alternative for all is to have Mr Sowal assume the road and he won't need the permits as a private drive.

Thanks

Dale R Owens

Engineering Technician

Coonee County Roads and Bridges

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Seneca SD 59678

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(856) 855-1071 fax

dowens@cooneecsc.com

JOHN CHAMBERS

'KNOW WHAT YOU DON'T KNOW'

THE CEO OF CISCO SPEAKS ON THE FUTURE OF WORKING

BY RICHARD M. SMITH



John Chambers is a leading force in the industry of the late 20th century: the entrepreneur and networking giant. But what makes him stand out from the crowd? For one, he's John Chambers, the company's CEO. He's a multi-faceted personality, including his role as a public speaker, author, and investor. He's also a former CEO of the company's most profitable unit, TelePresence. He's a former CEO of the company's most profitable unit, TelePresence. He's a former CEO of the company's most profitable unit, TelePresence.

Some other people call it teleconferencing. Why do you call it TelePresence?

Well, it really speaks to a virtual presence between people. I'll typically meet with nine or 10 people around the world at once or to different locations, and it's as though you're at the same table.

You've moved into an area that's very new for Cisco, and that's consumer products. Did you have to teach your team to dance a little differently to anticipate the needs of this new market?

I had to learn to dance differently. You might think we just recently did this, but we make our decisions three to four to five years before it's obvious to anyone we're going into a market. Our move into video as an architecture, combining data, voice, and video started in 1997. The first move we made was acquiring Scientific Atlanta, a set-top-box maker. Then we acquired Linux, a wireless technology box in the home. As we moved further, we acquired Flip. It's the No. 1 camera. But it also has the ability to capture something and be able to move it anywhere on the network that you want—plug it to the

PC today, wireless in the future, or combine it with a TelePresence session. Then we add the capability to interpret what you say in voice in the video. So as your students or business leaders have a video session, you can later search keywords. The architecture was put in place over 10 to 15 years, but only recently did you begin to see all the pieces come together.

How are you a different CEO today

than you were in 1986, when you first moved into the corner office?

When I started, I viewed my job as three main areas: vision and strategy of the company, development and recruitment of the team to implement that vision and strategy, and the need to communicate all of the above. Within about four or five years I realized there was something that many of us do not understand when we take a leadership role: culture. Great companies have very strong and great cultures. A huge part of a leadership role is to drive the culture of the company and to reinforce it. The other thing that has changed dramatically is (a shift) from command and control to collaboration and teamwork. It sounds easy to do, but it's hard. Because you are trained that way in M.B.A. school. In law school. Around 80 to 90 percent of the job is how we work together toward common goals, which requires a different skill set.

Do you remember the word boss you ever had? What did you learn from him or her?

It is important to know what you don't know. You may not admit it to your

team, or to your shareholders, or to your board, but really strong leaders always know when they're on firm ground and when they're in an area that they don't understand. The second thing that I have very little respect for bullies. I've never raised my voice in 20 years at Cisco—even. That doesn't mean we don't have very direct conversations, but you try to treat people as you'd like to be treated yourself.

You came out of law school and a general business background. Now you're leading people with highly technical backgrounds. Is that a different leadership challenge than leading journalists, or artists, or salespeople?

Yes. Engineers are part business leaders, part artists, and you've got to know which hat they have on. However, there's a fundamental change that may be really important to the future of business in this country and the world. At Cisco, we are moving to collaboration teams, groups coming together that represent sales, engineering, finance, legal, etc. And we're training leaders to think across silos. We now do that with 20 different teams in the company. So we'd have a sales leader go run engineering. A lawyer go run business development. A business development leader go run our consumer operations. We're going to train a generalist group of leaders who know how to learn and operate in collaboration teamwork. I think that's the future of leadership. □

Public comment

TOP OF THE WEEK

CRITICISM IN AN AGE OF DISPROPORTION

BY JON MEACHAM



IF YOU'VE TAKEN LESSON FROM WHAT IS HAPPENING TO YOU AND AREN'T ASKING YOUR PRESIDENT Obama to go to the Oval Office again (he did Tuesday on the BP disaster in the Gulf of Mexico). Though the mistakes were avoidable, the result of Obama's Lincoln's ghost (I did not hear that the Address to the Nation on June 15, 2009) will replace George W. Bush in the American imagination—neither were they so bad as many commentators decided they were.

The reaction from across the spectrum was to put it bluntly, inaccurate. One expert, Sarah Palin, speaking on Fox to be less than enthusiastic. On Tuesday night, however, even Rachel Maddow on MSNBC, a woman usually supposed to give the White House the benefit of the doubt, was underwhelmed. As she took over the MSNBC coverage from Katie Couric, she was also tough

on it. It was not a good speech. In what? The next day Obama secured 120 billion in savings from BP to begin to pay for the damages, and his approach on energy legislation mirrored his approach to health care, which, after being delayed dead time and again, actually passed.

There are many reasons to wish for a better response to the oil spill from the president—chiefly that we all wish it had not happened, or that, having happened, it would have stopped. I should say that all of us wish that with the possible exception of CNN Rep. Joe Barton, who had to apologize for referring to the accident as a White House “blackout” of Big Oil. You can argue, too, that the White House raised expectations by using the Oval Office for the speech, or that Obama wanted too long to give a single focused address on the subject. Those arguments, though, are about tactics and procedure, which, while crucial, are not the main event. The main event is who the president accomplished, and that is not as much his, or our duty, to talk about as a broad speech.

There are a couple of answers for this lack of proportion, none of which is particularly new, but which bear noting. One is a supply-and-demand problem. Cable television and the Internet create an endless demand for commentary and analysis, but there is a necessarily limited supply of interesting things to say or write. Another is related, because there is so much out there, the instant analysis tends toward self-assurance and sometimes hyperbole. I know of what I speak in the magazine and on television and radio. I have occasionally offered quick, off-the-cuff editorials that I regret. Having the courage to say you do not know the answer to a question is perhaps the beginning of wisdom.

Criticism is a crucial thing, the hallmark of democracy, the fact of freedom—choose your noble phrase—but the problem is that there's more than enough criticism out there. The fact that anybody can say anything does not mean that anything anybody says is worth hearing. Is this an elitist view? Probably, but I am not arguing for ever the remotest limitation on what people can say. The beauty of democracy and the wonder of the digital public square is that more people can express themselves more freely to more eyes and ears than at any other time in history. Speech liberation is to be celebrated and honored and defended. With power, though, comes responsibility, for all of us. We can learn, I think from Maddow—sigh, when you think you should sigh—but then, have the courage to be constructive.

The fact that anybody can now say anything publicly does not mean that anything anybody says is worth hearing.

on Obama, she simply explained deeply in disappointment with the president. The next night Maddow had the intellectual integrity to critic the speech also in fact Obama had given, or executed, in her view, elevated her from copyist to critic in the best sense of the term. (She is, of course, Maddow, and I are friendly, we have friends, and no lawyer here to inform us.) The most productive critics are those who observe the events of this public stage not only by history and ideology and perspective in the night that uses objectivity may lead me better to live for the audience.

Among the disappointing voices, however, Maddow's attempt to show rather than tell in her commentary was the message that proved the rule. The wide variety in the view of many of the president's first 100 days, a great or even good speech, seemed unfocused and ill-organized, and generally bombed. Still, I was struck by how disproportionate the hostile reaction, whether in relation to the address itself. (And seems it, I hear, colleague George F. Will, perhaps the president on this subject in our pages this week) With the perspective of a few days, I think the two reasons to the address tell us more about the absorption than the message. After a great speech, even so, of the prevailing situation of the world, over the subject, we—and we're talking over the response in political conversation.



NOTES
PLANNING & ECONOMIC DEVELOPMENT
COMMITTEE MEETING
July 8, 2010

Department Reports / Updates:

Planning Department:

Mr. Art Holbrook, Planning Director, addressed the committee utilizing a PowerPoint presentation [filed with these minutes] and discussed the following topics:

- ✓ • FEMA Issues
- Review of Adopted Regulations
- Zoning Recommendations – It was agreed by members of the Committee present to request that the Planning Department move forward with any uncontroversial rezoning requests to help diminish the backlog.
- ✓ • 2010 Census
- ✓ • Keowee – Toxaway Re-licensing
- ✓ • New Air Quality Standards
- Storm water Issues
- "One Stop" Permitting
- ✓ • Comprehensive Plan Update

Economic Development:

Mr. Jim Alexander, Economic Development Director, addressed the Committee utilizing a PowerPoint presentation [filed with these minutes] highlighting the following items:

- ✓ • Project Updates
- ✓ • Shell Building II
- ✓ • Ten at the Top
- Golden Corner Commerce Park
- ✓ • Oconee County Industrial Group
- 11 4478 - Fee-In-Lieu-Of-Tax changes

New Business:

Comprehensive Plan Update Review/Discussion

Mr. Moulder stated that he had reviewed the Comprehensive Plan and goals, noting that they appear to be consistent and obtainable. He noted that additional discussion should take place regarding the organizations/departments tasked with achieving the goals. Discussion followed.

✓ **Economic Development Incubator**

Mr. Corbeil opened discussion regarding the potential for Oconee County starting an Economic Development Incubator. He noted an upcoming meeting between Anderson, Pickens and Oconee Counties to review a model program. Discussion followed.

8/3/10

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2010-14**

AN ORDINANCE TO REQUEST DEFERRAL OF THE FORMULATION OF A REFERENDUM BALLOT QUESTION BY THE CAPITAL PROJECTS SALES TAX COMMISSION OF OCONEE COUNTY, SOUTH CAROLINA; TO AMEND CHAPTER 2, ARTICLE IV OF THE CODE OF ORDINANCES OF OCONEE COUNTY PERTAINING TO COMMITTEES IN ORDER TO ESTABLISH THE CAPITAL PROJECTS COMMITTEE; TO AMEND CHAPTER 32, ARTICLE I OF THE CODE OF ORDINANCES OF OCONEE COUNTY, AND OTHER MATTERS RELATED THERETO.

WHEREAS, pursuant to Section 4-10-300, et seq., of the Code of Laws of South Carolina, 1976, as amended (the "Act"), counties may create a commission to consider capital projects for a county and to formulate a ballot question to be considered by the qualified electors of the county pursuant to the Act; and,

WHEREAS, by and through Resolution 2007-10, Oconee County Council ("County Council") the legislative body of Oconee County, South Carolina, (the "County") a body politic and corporate and a political subdivision of the State of South Carolina, created the Capital Projects Sales Tax Commission (the "Sales Tax Commission") in accordance with the Act to formulate a referendum question to appear on the ballot of a general election so that the qualified electors of the County could consider whether or not the County could collect a 1% sales and use tax to defray the costs of capital projects specifically set forth in the ballot question; and,

WHEREAS, County Council recognizes that the current economic recession has caused considerable hardship for many County residents and that the imposition of an additional 1% sales and use tax upon the citizens of the County at this time may exacerbate such hardship; and,

WHEREAS, County Council has determined that it will not enact an ordinance for the purpose of approving a ballot question for referendum approval regarding the imposition of a sales and use tax under the Act before the time of the next general election; and,

WHEREAS, County Council desires to request that the Sales Tax Commission defer its efforts to formulate a ballot question until a date to be determined; and,

WHEREAS, in accordance with subsection 4-9-30(6), of the Code of Laws of South Carolina, 1976, as amended, the County is authorized to establish committees as may be necessary and proper to provide services of local concern for public purposes; and,

WHEREAS, because County Council understands the continuing need for capital infrastructure to serve future needs of Oconee County, and desires to establish the Capital

Projects Advisory Committee (the "Capital Projects Committee") to ascertain, study and propose capital projects and various funding sources for such capital projects for the County, so that the County will be able to address capital project needs within the County, with or without the aforementioned sales and use tax, as such needs arise and funding is available therefor; and,

WHEREAS, County Council finds that the Capital Projects Committee will be able to effectively categorize necessary capital projects within the County and further identify a variety of efficient funding sources in order to defray the costs of such capital projects; and,

WHEREAS, because the Sales Tax Commission has done admirable work identifying many of the County's capital project needs, County Council further desires to request that the Sales Tax Commission assist the Capital Projects Committee in its efforts and provide the Capital Projects Committee with any information or materials in its possession as may be requested by the Capital Projects Committee; and,

WHEREAS, County Council has previously enacted certain ordinances regarding the formation of committees by County Council, such ordinances being codified in the Code of Ordinances, Orange County, South Carolina (the "Code of Ordinances"); and,

WHEREAS, County Council desires to amend the Code of Ordinances to provide for the creation of the Capital Projects Committee;

NOW, THEREFORE, be it ordained by County Council, in meeting duly assembled, that:

1. The Code of Ordinances is hereby amended by adding a division to Chapter 2, Article IV, to be numbered Division 8 and titled "Capital Projects Committee," which Division 8 is to be as set forth on Exhibit A, attached hereto and incorporated herein by reference;
2. The Code of Ordinances is hereby further amended by replacing Chapter 32, Article 1, Sec. 32-4(b)(2)(c) in its entirety with the language set forth on Exhibit B, attached hereto and incorporated herein by reference;
3. The Code of Ordinances is hereby further amended by adding a subsection to Chapter 32, Article 1, Sec. 32-4(b) of the code of ordinances to be numbered (3), which subsection (3) is to be as set forth on Exhibit C, attached hereto and incorporated herein by reference;
4. The remaining terms and provisions of the Code of Ordinances not specifically revised hereby, directly or by implication, shall remain unchanged and in full force and effect;
5. County Council hereby requests the Sales Tax Commission to defer further efforts relating to the formulation or submission to County Council of a referendum ballot question until such time as County Council requests the Sales Tax Commission to continue with such efforts;
6. The Sales Tax Commission shall assist the Capital Projects Committee in its efforts to identify capital projects and capital project funding sources for the County by providing

the Capital Projects Committee and the County information and materials in the possession of the Sales Tax Commission.

7. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.
8. All Ordinances, Orders, Resolutions, and actions of County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.
9. This Ordinance shall take effect and be in full force and effect from and after third reading and enactment by County Council.

ORDAINED in meeting, duly assembled, this ____ day of _____, 2010.

ATTEST:

Elizabeth G. Hulse,
Clerk to County Council,
Oconee County, South Carolina

Reginald T. Dexter,
Chairman of County Council
Oconee County, South Carolina

First Reading: _____
Second Reading: _____
Public Hearing: _____
Third Reading: _____

Exhibit A

DIVISION 8. CAPITAL PROJECTS ADVISORY COMMITTEE

Sec. 2-391. Purpose.

The purpose of this division is to create the Oconee County Capital Projects Advisory Committee.

Sec. 2-392. Definitions.

For purposes of this Division, the following terms shall have the following meanings:

(1) "capital asset" shall mean any asset, including, but not limited to, land, improvements to land, fixtures, equipment and other items of personal property, owned or to be owned by the county, in whole or in part, having a value of not less than \$250,000 and a useful life of not less than three years, the acquisition, development, construction, improvement or installation of which is to be funded or financed by the county in whole or in part.

(2) "capital project" shall mean the acquisition, development, construction and improvement of any capital asset. For purposes of this Division, the term "capital project" shall not include routine maintenance or repair of existing capital assets, but shall be interpreted to include only new acquisition, development, construction, improvement or installation of a capital asset or capital assets.

Sec. 2-393. Creation; Membership; Terms of Membership.

There is hereby created, as an advisory committee for the county, a committee to be known as the Oconee County Capital Projects Advisory Committee, the same being referred to in this Division as the "committee". Except as otherwise provided in this Division, the committee shall consist of nine (9) members to be composed of the following representatives appointed by county council:

(1) One (1) member of the committee shall be a member of county council unless compelling reasons justify an alternate appointment methodology. The county council shall appoint one of its members to serve as the member of the committee for a one-year term, or until a successor is appointed and qualified. No member of county council may be appointed as a member of the committee for more than three (3) consecutive terms. The member of county council so appointed shall also serve as the chair of the committee. The member of the committee appointed pursuant to this subsection (1) shall be entitled to one vote on all committee matters required to be, or which are, submitted for a vote of the committee members.

(2) One (1) member of the committee shall be the county administrator unless compelling reasons justify an alternate appointment methodology. The county administrator shall also serve as the vice-chair of the committee. The member of the committee appointed pursuant

to this subsection (2) shall be entitled to one vote on all committee matters required to be, or which are, submitted for a vote of the committee members.

(3) One (1) member of the committee shall be the county planning director unless compelling reasons justify an alternate appointment methodology. The member of the committee appointed pursuant to this subsection (3) shall not be entitled to vote, but shall participate in committee affairs in an advisory and support role.

(4) One (1) member of the committee shall be a member of the county planning commission unless compelling reasons justify an alternate appointment methodology. The county planning commission shall appoint one of its members to serve as the member of the committee for a one-year term, and until a successor is appointed and qualified. No member of the county planning commission may be appointed as a member of the committee for more than three (3) consecutive terms. The member of the committee appointed pursuant to this subsection (4) shall not be entitled to vote, but shall participate in committee affairs in an advisory and support role.

(5) One (1) member of the committee shall be the county finance director unless compelling reasons justify an alternate appointment methodology. The member of the committee appointed pursuant to this subsection (5) shall not be entitled to vote, but shall participate in committee affairs in an advisory and support role.

(6) One (1) member of the committee shall be the county facilities maintenance director unless compelling reasons justify an alternate appointment methodology. The member of the committee appointed pursuant to this subsection (6) shall not be entitled to vote, but shall participate in committee affairs in an advisory and support role.

(7) One (1) member of the committee shall be a member of the county infrastructure advisory commission unless compelling reasons justify an alternate appointment methodology. The county infrastructure advisory commission shall appoint one of its members to serve as the member of the committee for a one-year term, and until a successor is appointed and qualified. No member of the county infrastructure advisory commission may be appointed as a member of the committee for more than three (3) consecutive terms. The member of the committee appointed pursuant to this subsection (7) shall be entitled to one vote on all committee matters required to be, or which are, submitted for a vote of the committee members.

(8) Two (2) members of the committee shall consist of members of the public at large having their primary residences in the county and having professional backgrounds or experience in planning, funding or constructing public or private sector capital projects. Such members may not be employees of the county, or any municipality or other political subdivision, or any department or agency, of the State of South Carolina or the United States. Application for committee membership under this subsection (8) shall be made in connection with the county's general committee application process conducted and maintained by the clerk to county council. The county council shall appoint such members of the committee by official council action, in open session, and each such member so appointed shall serve until the last

day of his or her primary residency within the county or until the date which is one (1) year from the date of his or her appointment by county council, whichever first occurs, and until a successor is appointed and qualified. No person appointed by county council as a member of the committee under this subsection (8) may be appointed as a member of the committee for more than three (3) consecutive terms. The members of the committee appointed pursuant to this subsection (8) shall be entitled to one vote each on all committee matters required to be, or which are, submitted for a vote of the committee members.

Sec. 2-304. Appointment and Removal of Committee Members.

Notwithstanding anything in this Division to the contrary, county council may, by official council action, in open session, appoint or remove members of the committee at any time for any reason in such members and by such method as therein approved by county council.

Sec. 2-395. Meetings; Rules of Order.

The chair shall have the authority to appoint one or more sub-committees comprised of the members of the committee as he or she deems necessary. Meetings of the committee will be scheduled by the chair, but shall be held at least once per calendar quarter, and held at times and places to be designated by the chair. If the chair shall be temporarily absent or unable to serve, the vice-chair shall serve as chair in his or her stead. All such meetings shall be noticed and held in conformity with the South Carolina Freedom of Information Act. The committee shall at all times conduct its meetings and public hearings pursuant to the rules of order and procedure being then adopted by and in effect for county council.

Sec. 2-396. Duties and Responsibilities of Committee Officers.

- (1) The chair shall preside over each regular meeting and public hearing of the committee, or, in the chair's absence from a meeting or public hearing, the vice-chair shall preside over such meeting.
- (2) It shall be incumbent on the chair to notify the council clerk when any member of the committee has been absent at three consecutive regular meetings.

Sec. 2-397. Powers, Duties and Responsibilities of Committee.

The committee shall have the following duties and responsibilities in addition to other functions as may, from time to time, be assigned to it by the county council:

- (1) Except as otherwise provided in subsection 8 below, the committee shall, prior to consideration by council or the planning commission, review, evaluate and score, based on fixed criteria and procedures to be established by the committee, all proposed capital projects.
- (2) Upon completion of the committee's review, evaluation and scoring of each proposed capital project, the committee shall communicate its findings relating to such proposed

capital project, including any recommendation of the committee relating to the manner and time frame in which such capital project be completed, to the county planning commission. It shall be the responsibility of the county planning director to promptly communicate the committee's findings to the county council, and to the planning commission for consideration and recommendation or submission to county council pursuant to the provisions of Chapter 32, Article 1, Sec. 32-4 of this code of ordinances.

(3) The committee, by and through the chair of the committee, shall at least bi-annually report on the state of all capital projects in the county, whether completed, in process or proposed. The chair's reports shall be given in regularly scheduled council meetings to be selected by the chair of the committee, in conjunction with the chair of council. The committee shall provide copies of all information or materials in its possession regarding any capital project to council or any member thereof upon request.

(4) The committee shall hold at least two public hearings per year, noticed and held in conformity with the South Carolina Freedom of Information Act, to allow the citizens of the county an opportunity to be heard concerning capital projects in the county, whether completed, in process or proposed.

(5) The committee shall from time to time meet with the officials of the various municipalities, the county school district and the various utility providers or other entities the input and cooperation of which may be beneficial to the committee in its efforts under this Division.

(6) The committee may adopt additional rules or bylaws relating to the governance and operation of the committee not in conflict with the provisions of this Division or the purpose for which the committee is formed as provided in this Division; provided, however, that county council may by resolution, void or amend any such rules or bylaws adopted by the committee.

(7) The county administrator may adopt and distribute such policies relating to the coordination of efforts between the committee and the planning commission relating to capital projects as he or she may deem appropriate from time to time to give effect to the purposes of this Division; provided, however, that such policies must not be contradictory to the provisions of this Division or any additional rules or bylaws adopted by the committee as provided in this Division, or state law.

(8) Nothing contained in this Division shall preclude county council from considering or taking action on any capital project at any time, regardless of whether such capital project has been first considered by the committee or planning commission as otherwise required by this Division, where county council determines, in its sole discretion, that expedited consideration or action is reasonably necessary given the facts and circumstances related to the capital project in question. Where, and if, county council makes such a determination, it shall put such determination on the record as part of the minutes of its consideration of or action on such capital project.

Exhibit B

e. A capital improvements program setting forth capital projects (as such term is defined in Chapter 2, Article IV, Division 8, Sec. 2-392 of this code of ordinances) required to implement or in conformity with plans which have been prepared and adopted, including an annual listing of priority capital projects for consideration by county council prior to preparation of its capital budget.

Exhibit C

(3) Coordinate with, and receive scored proposals for capital projects from, the Oconee County Capital Projects Advisory Committee pursuant to Chapter 2, Article IV, Division 8 of this code of ordinances.

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: August 3, 2010
COUNCIL MEETING TIME: 6:00 PM

ITEM TITLE OR DESCRIPTION:

Second Reading of Ordinance 2010-21: AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, TO ESTABLISH THE AGRICULTURAL RESIDENTIAL DISTRICT AND THE PUBLIC AND RECREATIONAL LANDS DISTRICT, AND ALL RELATED USES, STANDARDS AND REQUIREMENTS; AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO

BACKGROUND OR HISTORY:

As part of a recent review of adopted zoning regulations, the Planning Commission proposed the creation of 2 new zoning districts designed to meet needs not addressed by currently adopted districts. Specifically, the Agricultural Residential District (ARD) would promote the relatively unrestricted lifestyle of rural communities, while limiting high-density development, and the impacts of intense agricultural, commercial and industrial uses not compatible with the existing development; and the Public and Recreational Lands District (PRLD) will allow for the continuation and identification of public lands, while supporting those uses consistent with the mission of the managing agency. The Planning Commission voted unanimously to recommend the proposed districts, and County Council gave First Reading in Title Only on May 18, 2010. Council delayed further consideration until completion of a review of other zoning-related recommendations from the Planning Commission.

SPECIAL CONSIDERATIONS OR CONCERNS:

STAFF RECOMMENDATION:

Take Second Reading on Ordinance 2010-21, and schedule a public hearing.

FINANCIAL IMPACT:

None anticipated.

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: Yes / No
If yes, who is matching and how much:

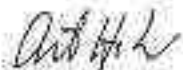
ATTACHMENTS

Copy of draft ordinance.

Reviewed By/ Initials:

_____ County Attorney _____ Finance _____ Grants _____ Procurement

Submitted or Prepared By:



Department Head/Elected Official

Approved for Submittal to Council:



Scott Moulder, County Administrator

STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2010-21

AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, TO ESTABLISH THE AGRICULTURAL RESIDENTIAL DISTRICT AND THE PUBLIC AND RECREATIONAL LANDS DISTRICT, AND ALL RELATED USES, STANDARDS AND REQUIREMENTS; AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO

WHEREAS, Oconee County, South Carolina (the "County"), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its County Council (the "County Council"), is authorized by the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 (the "Act"), codified in Title 6, Chapter 29 of the South Carolina Code of Laws, 1976, as amended (the "Code") to adopt zoning regulations and districts; and,

WHEREAS, Oconee County Council has heretofore, by and through its Zoning Enabling Ordinance, 2007-18, finally adopted on November 6, 2008 (the "Zoning Enabling Ordinance", or "ZEO"), codified as Chapter 38 of the Oconee Code of Ordinances (the "Oconee County Code"), adopted such zoning regulations and districts in accordance with and consistent with the Oconee County comprehensive land use plan; and,

WHEREAS, it is necessary to amend the adopted zoning regulations from time to time to account for changes resulting from growth and development, as well as allowing for the achievement of the goals established in the comprehensive land use plan; and,

WHEREAS, in accordance with the Act and the Zoning Enabling Ordinance, Oconee County Council has referred such matters to the Oconee County Planning Commission for their review, particularly regarding the proposed amendment's compliance with the Oconee County Comprehensive Plan. The Oconee County Planning Commission has, in fact, reviewed the proposed amendment, and by majority vote affirmed its opinion that the changes are in compliance with the Comprehensive Plan, and recommends adoption of the changes by County Council. The Oconee County Council has considered the recommendation of the Oconee County Planning Commission, held a public hearing, duly noticed and advertised, as required by law, to receive the comments of the public, finds that such comments and recommendations are correct and necessary, and desires to amend the Zoning Enabling Ordinance, as codified at Chapter 38 of the Oconee County Code of Ordinances, in certain limited particulars only, based on the review, comments, and recommendations of the Oconee County Planning Commission and the public, and to otherwise ratify and reaffirm the Zoning Enabling Ordinance and other provisions of Chapter 38 of the Oconee County Code of Ordinances not specifically or by implication amended hereby;

NOW, THEREFORE, it is hereby ordained by the Oconee County Council, in meeting duly assembled that:

1. Chapter 38 Article 10 of the Deonee County Code of Ordinances is hereby amended, as follows, and in the following details, only:

A. The Agricultural Residential District, with its uses, standards and requirements, is established in its entirety in Section 38-10.12, and shall read as follows:

Sec. 38-10.12. Agricultural residential district (ARD)

(a) *Title:* Agricultural residential district (ARD)

(b) *Definition:* Those areas for which it is desirable to protect the residential nature of their agricultural community, but also allow for the continuation of certain uses compatible with country living.

(c) *Intent:* The intent of this district is to protect existing residential areas in rural communities by limiting high-density development, and high impact agricultural, commercial and industrial uses not compatible with the character of the community. In general, many residents in these areas still participate in farming-related activities, but do so primarily on a part time basis, for either personal enjoyment or supplementing their primary income through gardening, keeping a small number of livestock or poultry, or other agricultural pursuits.

(d) *Uses:*

(1) *Permitted Uses:*

- Mini-farms
- Hobby farms
- Home gardening
- Residential gardening
- Cemeteries: Family and Accessory
- Civic, fraternal, professional, & political organizations
- Greenhouses & nurseries, commercial
- Health care services (Hospitals excluded)
- Places of worship
- Public and private parks & recreation (indoor and outdoor)
- Roadside stands and markers
- Single-family detached residential
- Single-family subdivisions (5 units or less)
- Taxidermy and wild game processing

(2) *Conditional Uses (See Article 5 for Conditions)*

- Auction houses
- Conservation subdivisions
- Home occupations
- Restaurants (up to 2,500 square feet)
- Commercial camping sites

(3) *Special Exceptions (See Article 7 for Special Exceptions)*

- Communication Towers
- Group Homes
- Marinas

(e) Dimensional Requirements*

Residential Uses	Density & Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	1 acre	1 dwelling unit per acre	80	35	5	10	65

Non-residential Uses	Minimum Lot Size		Minimum Yard Requirements			Max. Height
	Min. Lot Size	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	1 acre with availability of utilities	80	35	10	30	65

*See Article 9 for general provisions and exceptions to Dimensional Requirements.

B. The Public and Recreation Lands District, with its uses, standards and requirements, is established in its entirety in Section 38-10.13, and shall read as follows:

Sect. 38-10.13. Public and recreation lands district (PRLD)

(a) *Title:* Public and Recreation Lands District

(b) *Definition:* Those areas set aside for the promotion, use, and protection of natural resources in the form of (but not limited to) parks, forests, and educational or research facilities; or federal, state, and county owned lands typically maintained for the benefit of the public.

(c) *Intent:* This district is meant to provide for a continuation and identification of public lands and to allow for those uses typically associated with accomplishing the mission of the agency charged with the care and promotion of the land.

(d) *Uses:*

(1) Permitted Uses

- Forestry
- Agriculture
- Farm Markets
- Museums and cultural centers
- Educational research and promotion facilities
- Public recreational and social facilities
- Public camping facilities
- Governmental, Educational, and non-profit offices

(2) Conditional Uses (See Article 5 for Conditions)

[RESERVED]

(3) *Special Exceptions (See Article 7 for Special Exceptions)*

- Communication Towers
- Group Homes
- Marinas

Dimensional Requirements:

See Article 9 for general provisions and exceptions to Dimensional Requirements:

2. All other parts and provisions of the Oconee County Code of Ordinances not amended hereby, either explicitly or by implication, remain in full force and effect. The Zoning Enabling Ordinance, Ordinance 2007-18, and Chapter 38 of the Oconee County Code of Ordinances as amended hereby, are hereby ratified and affirmed, *ab initio*.
3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.
4. All ordinances, orders, resolutions, and actions of Oconee County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.
5. This Ordinance shall take effect and be in full force and effect from and after third reading and enactment by Oconee County Council.

ORDAINED in meeting, duly assembled, this ____ day of _____, 2010.

ATTEST:

FOR OCONEE COUNTY:

Clerk to County Council
Oconee County, South Carolina

Chairman, County Council
Oconee County, South Carolina

First Reading: _____
Second Reading: _____
Third Reading: _____
Public Hearing: _____

STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2010-29

AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN OCONEE COUNTY REAL PROPERTY, CONTINGENT ON THE SATISFACTORY COMPLETION OF ALL DUE DILIGENCE AND CONTRACTUAL REQUIREMENTS ESTABLISHED BY OCONEE COUNTY, TO THE SATISFACTION OF OCONEE COUNTY COUNCIL; AUTHORIZING THE COMPLETION OF SUCH DUE DILIGENCE AND CONTRACTS; AUTHORIZING THE RECEIPT OF ALL LAWFUL FUNDS AUTHORIZED FOR SUCH PURCHASES; AUTHORIZING THE EXECUTION AND DELIVERY OF ALL CONTRACTS, INTERGOVERNMENTAL AGREEMENTS, AND OTHER DOCUMENTS RELATED TO SUCH PURCHASES; AUTHORIZING THE AMENDMENT OF THE CURRENT OCONEE COUNTY BUDGET ORDINANCE TO PROVIDE ACCOUNTING AND FUNDING FOR THE TOTAL COST OF CONTRACTING FOR AND PURCHASING SUCH PROPERTIES; AND OTHER MATTERS RELATED THERETO.

WHEREAS, Oconee County, South Carolina (the “County”), a body politic and corporate and political subdivision of the State of South Carolina, acting by and through the Oconee County Council (the “County Council”), is authorized and empowered by Section 4-9-30, South Carolina Code, 1976, as amended (the “Code”), among other authorities, to purchase and own real property, for the benefit and well being of the County and its people; and

WHEREAS, Oconee County is authorized by the Code to enter into certain intergovernmental agreements with other political subdivisions of the State, to carry out the County’s authority, responsibilities, and duties under the Code, including, without limitation, economic development efforts of the County; and

WHEREAS, by the Code and by its own internal policies and procedures, the County is required to account for its expenditure of public funds, to provide for the accounting for such funds and their expenditure, and to appropriate such funds in accordance with the Code and County policies and procedures; and

WHEREAS, by the Code and by Oconee County policy and procedure, the County Council is authorized and required to enter into contracts for certain purchases involving the appropriation and expenditure of public funds; and

WHEREAS, the Oconee County Budget Ordinance provides the appropriation and accounting authority for the expenditure of major public funds by Oconee County Council, and, from time to time, must be amended when County Council desires to appropriate and expend public funds in addition to those previously budgeted for in the Oconee County Budget Ordinance; and

WHEREAS, prior to the purchase of real property, as authorized in this Ordinance, any public body, including Oconee County, must do appropriate due diligence, to ensure that public funds are being expended wisely and in the best interests of the public body and the public; and

WHEREAS, Oconee County, acting by and through its County Council, has identified three (3) separate parcels of real property, each known to Oconee County Council at the time of each of the readings of this Ordinance, which, for separate reasons, unique to each, are needed to further the interests of Oconee County and its people, and are available for purchase by Oconee County; and

WHEREAS, Oconee County, acting by and through its County Council, desires: to explore the possibility of purchasing all three (3) parcels; to explore the facts and circumstances involving all three (3) parcels; to conduct the due diligence required for such purchases, and to authorize the purchase of each of the three (3) parcels, contingent on the satisfactory completion of all due diligence and contractual requirements established by Oconee County Council through the Oconee County Code of Ordinances, the Oconee County Budget Ordinance, this Ordinance, and other determinations of Oconee County Council; to explore the purchase options for all three (3) parcels of property and the funding requirements therefore; to identify the sources of funding for all three (3) parcels; to authorize the receipt of all lawful funds available to the County and authorized and available for such purchases, including, without limitation, grant funds, contributions from private entities, and contributions from other political subdivisions; to prepare all documentation related to such purchases, including, without limitation, all contractual documents, all intergovernmental agreements, and other documents related to such purchases; and, upon the successful completion of all such administrative work required for the prudent and successful purchase of such properties, to authorize the expenditure of public funds for such purchases and to amend the Oconee County Budget Ordinance to provide the accounting and funding for the total cost of contracting for and purchasing such properties:

NOW, THEREFORE, it is hereby ordained by Oconee County Council, in meeting duly assembled, that:

1. The Oconee County Administrator is hereby authorized and directed to: explore the possibility of purchasing all three (3) parcels of real property concerned in this ordinance, more specifically identified as Property 1, Property 2, and Property 3, on Exhibits A, B, and C, respectively, of this Ordinance; explore the facts and circumstances involving all three (3) parcels; conduct the due diligence required for such purchases; explore the purchase options for all three (3) parcels of property and the funding requirements therefore; identify the sources of funding for all three (3) parcels; accept and account for all lawful funds available to the County and authorized and available for such purchases, including, without limitation, grant funds, contributions from private entities, and contributions from other political subdivisions; prepare all documentation related to such purchases, including, without limitation, all contractual documents, all intergovernmental agreements, and other documents related to such purchases; and, bring all such matters, in the form of recommendations, back to Oconee County Council for such approval as may be required, by and through the successful enactment of this Ordinance.

2. Contingent upon the satisfactory completion of all due diligence and contractual requirements established by Oconee County Council, herein and otherwise, and upon successful enactment of this Ordinance, the Chairman of Oconee County Council and the Oconee County Administrator are hereby authorized and directed to execute all contractual documents, all intergovernmental agreements, and all other documents related to the purchases authorized by this Ordinance, and, upon the successful completion of all such administrative work required for the prudent and successful purchase of such properties, to expend the public funds authorized by this Ordinance, and more specifically as set forth on Exhibits A, B, and C, hereto, for such purchases, and to complete the purchases of each or all of the three (3) parcels.

3. To the extent that any such amendment is required to comport with the funding for such purchases set forth on Exhibits A, B, and C, hereto, the Oconee County budget ordinance is hereby amended so as to provide the accounting and funding for the total cost of contracting for and purchasing such properties, in the amounts as set forth on Exhibits A, B, and C, hereto.

4. The Chairman of Oconee County Council and the Oconee County Administrator are hereby authorized and directed to execute, enter into, and deliver all documents necessary for the completion of the actions authorized and directed in this Ordinance, including, but not limited to, all contractual documents, all intergovernmental agreements, and all other transactional documents.

5. Should any portion of this Ordinance be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such determination shall not affect the remaining terms and provisions of this ordinance, all of which are hereby deemed separable.

6. All orders, resolutions, and enactments of Oconee County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.

7. This ordinance shall take effect and be in full force and effect from and after third reading and enactment by Oconee County Council.

[The remainder of this page left blank intentionally.]

ORDAINED in meeting, duly assembled, this _____ day of _____, 2010..

OCONEE COUNTY, SOUTH CAROLINA

(SEAL)

By: _____
Reginald T. Dexter, Chairman, County Council
Oconee County, South Carolina

ATTEST:

By: _____
Elizabeth G. Hulse, Clerk to County Council
Oconee County, South Carolina

First Reading [in title only: August 3, 2010

Second Reading:

Public Hearing:

Third Reading:

PROPERTY 1

- A. [Property description]
- B. [Purchase price]
- C. [Source of funding]
- D. [Budget ordinance amendment required]
- E. [Due diligence required]
- F. [Contractual documents required]
- G. [Intergovernmental Agreement required]

Exhibit A

PROPERTY 2

- A. [Property description]
- B. [Purchase price]
- C. [Source of funding]
- D. [Budget ordinance amendment required]
- E. [Due diligence required]
- F. [Contractual documents required]
- G. [Intergovernmental Agreement required]

Exhibit B

PROPERTY 3

- A. [Property description]
- B. [Purchase price]
- C. [Source of funding]
- D. [Budget ordinance amendment required]
- E. [Due diligence required]
- F. [Contractual documents required]
- G. [Intergovernmental Agreement required]

Exhibit C

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: August 3, 2010
COUNCIL MEETING TIME: 7:00 PM

ITEM TITLE OR DESCRIPTION:

Local ATAX request for amount not to exceed \$1,700 for advertising in AAA magazine. This will be a 1/6 page ad for six issues over the next year.

BACKGROUND OR HISTORY:

AAA regional magazine is delivered to 1.1 million homes in NC and SC bi-monthly and places Oconee County in front of those for consideration when making travel plans. The goal of broad based marketing is to get the attention of the reader so they may further explore the opportunities through our website. Each ad has a specific URL for tracking the success of the ad for future considerations. You can view the website at www.experienceoconee.com

SPECIAL CONSIDERATIONS OR CONCERNS:

This is a joint advertisement with the CVB to highlight the resources available in Oconee County.

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes / No (review #2001-15 on Procurement's website)
If no, explain briefly: No. Direct advertising with AAA magazine

STAFF RECOMMENDATION:

Approval of advertising funds for AAA magazine.

FINANCIAL IMPACT:

Not to exceed \$1,700 with funds coming from the 75% local Atax fund. Current balance in the 75% local Atax fund is \$66,499.

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: Yes / No
If yes, who is matching and how much: Yes, CVB \$1,700

ATTACHMENTS

Sample ad

Reviewed By/ Initials:

____ County Attorney

____ Finance

____ Grants

____ Procurement

Submitted or Prepared By:

Phil Shirley, PRT Director
Department Head/Elected Official

Approved for Submittal to Council:

Scott Moulder, County Administrator

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: August 3, 2010
COUNCIL MEETING TIME: 7:00 PM

ITEM TITLE OR DESCRIPTION:

Award the purchase of a second Roll-Off Truck with Hoist and Tarp System to Nu-Life Environmental, Inc. of Easley, SC, in the amount of \$129,182.00, for the Solid Waste department per Bid 09-21.

BACKGROUND OR HISTORY:

In May of 2010 County Council approved the award of Bid 09-21 to Nu-Life Environmental, Inc. of Easley, SC, for the purchase of a roll-off truck. The Solid Waste department requested an additional roll-off truck in their FY 2010-2011 budget and before the budgeted amount was approved, Procurement contacted Nu-Life Environmental and they agreed to hold their exact bid price for an additional identical truck.

This second truck will be used by the Solid Waste department to replace a 1994 Ford LNT 9000 roll-off truck. This truck was wrecked in 2008 and although it was repaired, it has had continuing problems that make it very unreliable. This truck has been in the fleet for 16 years, it is well past its useful life, and will be sold on GovDeals.

SPECIAL CONSIDERATIONS OR CONCERNS:

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2002-10 guidelines? Yes

STAFF RECOMMENDATION:

Award the purchase of a second Roll-Off Truck with Hoist and Tarp System to Nu-Life Environmental, Inc. of Easley, SC, in the amount of \$129,182.00, for the Solid Waste department per Bid 09-21.

FINANCIAL IMPACT:

For FY 2010-2011 the Solid Waste department has an approved budgeted amount of \$129,200.00 for the purchase of a Roll-Off Truck with a hoist and tarp system.

ATTACHMENTS

1. Letter from Nu-Life Environmental

Reviewed By: Initials:

_____ County Attorney _____ Finance _____ Grants _____ Procurement

Submitted or Prepared By:

Approved for Submittal to Council:

Department Head/Elected Official


T. Scott Moulder, County Administrator

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Item Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

Oconee County
Procurement Office

Robyn M. Courtright
Procurement Director

Oconee County Administration Office
115 South Pine Street
Milledgeville, SC 29671

Phone: 864-638-4142
Fax: 864-638-4142
E-mail:
rcourtright@ococonesc.com



May 6, 2010

Mr. Sam Knox
Nu-Life Environmental
P O Box 1527
Easley, SC 29641

Dear Mr. Knox:

This letter is an official Notice of Intent in regards to the purchase of a second 2011 Freightliner M2-112 Roll-Off Truck with Jake Brake System, Stellar S175-174-OR Hoist and Larp system per ITB-9-21 for the price of \$128,882.00.

Oconee County Solid Waste department would like to purchase a second truck identical to the award of ITB 09-21 with the condition that the funding for said truck is approved in the 2010-2011 Fiscal Year Budget. If the funding is not approved, then the County would not purchase this truck. We should know if the funds are approved by July 1, 2010, and would be able to issue you a new purchase order for a second roll-off truck by July 9, 2010.

If you agree to these terms, please sign below and return a copy of this letter to Procurement via email or fax to 864-638-4142.

Accepted By:

Oconee County

Robyn Courtright
Signature

Robyn Courtright
Print Name

Procurement Director
Title

May 6, 2010
Date

Nu-Life Environmental

D. Stewart
Signature

D. Stewart
Print Name

Inside Sales
Title

05-06-10
Date

* Contingent upon chassis dealer being able to secure the second truck. They currently have it on hold for Nu-Life.